

From: [Werst, Jolleen](#)
To: [Jump, Christine](#)
Cc: [Drennen, Michele](#)
Subject: RE: 29th and Mead site
Date: Monday, March 30, 2015 9:03:56 AM

Christine

You will have to ask Michele Drennen for access to SDMS.

Thanks

Jolleen

From: Jump, Christine
Sent: Thursday, March 26, 2015 8:25 AM
To: Werst, Jolleen
Subject: FW: 29th and Mead site

Jolleen-

Can I get access to the SEMS system to review the documents attached below? Or is there another way I can review the documents?

Thanks.

Chris Jump, L.G.

Waste Remediation and Permitting Branch

US EPA, Region 7

jump.chris@epa.gov

(913) 551-7141



Mailing address: 11201 Renner Boulevard, Lenexa, KS 66219

From: Sperry, Clint
Sent: Thursday, March 26, 2015 7:57 AM
To: Jump, Christine
Subject: RE: 29th and Mead site

Christine,

Here is a list of all 104e requests from January 1987 to January 1994. The first three do not have docs associated with the description. The information at the bottom of the email is a response from questions by the Project Manager. Hope this helps.

07	66460	04-21-1989	RESPONSE TO EPA SECTION 104 INFORMATION REQUEST - U S INDIVIDUAL & CORP INCOME TAX RETURNS
07	66579	04-21-1989	RESPONSE TO EPA SECTION 104 INFORMATION REQUEST - U S INCOME TAX FOR AN S CORPORATION
07	66584	04-21-1989	RESPONSE TO EPA SECTION 104 INFORMATION REQUEST - ARTICLES OF INC ORPORATION - BY LAWS

07	<u>66587</u>	04-14-1989	REPLY TO EPA SECTION 104 INFORMATION REQUEST - CORPORATE INCOME TAX RETURN - BALANCE SHTS	
07	<u>40199275</u>	11-06-1991	PARTIAL 104(E) RESPONSE	 10
07	<u>40201508</u>	04-20-1989	LETTER CONCERNING 104 INFORMATION REQUEST BEING ANSWERED FOR CONSERVATION SERVICES, INC. AND HYDROCARBON RECYCLERS, INC. OF WICHITA.	 6



**VIA AIRBORNE
RECEIVED**

APR U

Ken Rapplean
Pre-Remedial and State Program Section
Superfund Branch - Waste Management Division
U. S. Environmental Protection Agency PPMG SECTION
726 Minnesota Avenue
Kansas City, KA 66101
29th & Mead Site - Witchita. Kansas

Dear Sir:

This letter will respond to the EPA's Request for
Information dated February 28, 1989, Request for Information
concerning the 29th & Mead site in Wichita, Kansas.

Answers to the specific questions listed on
Attachment B of your letter are set forth below.

1. Nancy A. Roberts

General Attorney
Union Pacific Law Department
1416 Dodge Street
Omaha, Nebraska 68179
(402) 271-4752

2. No manufacturing or processing activities
have been conducted at Missouri Pacific Railroad Company's
(d/b/a Union Pacific Railroad Company) rail yard facilities
1416 Dodge Street
Omaha. NE68179

located at 2645 New York Avenue in Wichita, Kansas. Work at the mechanical repair shop includes minor locomotive maintenance and rail car repair according to Terry Manthes, Car Foreman. No battery work, locomotive washing or parts cleaning using chlorinated solvents vats have ever been conducted. There is also a shop building in the yard used by the Building & Bridge (B&B) and Signal employees to store equipment and perform minor repairs. No chlorinated solvents are used at either of the shop buildings in the yard. In addition, our Purchasing & Materials Department file review indicates that such materials have not been purchased locally or sent to Wichita from the Railroad's central materials distribution center.

3. Missouri Pacific has not used any of the specific chemicals listed under Question 3 of the Request for Information at the Wichita rail yard and shops in the recent past. Although the Railroad's Purchasing & Materials Department records are no longer available prior to mid-1985, we have no reason to believe that such materials were ever used at the yard. (See Answer to 2).

The shop facilities at the yard do, however, maintain some "hazardous chemicals" in small quantities. A list of those chemicals for each of the buildings within the yard area is attached. The list was created last year in order to comply with the Occupational Safety & Health Administration's (OSHA) Hazard Communication Standard. Currently, the Wichita yard has only one five gallon container of paint thinner on hand and one 55 gallon drum of mineral spirits. These materials receive very little use and are expected to last into next year.

4. Missouri Pacific does not generate regulated quantities (over 100 kilograms per month) of Resource Conservation and Recovery Act (RCRA) hazardous waste at the Wichita yard. The hazardous chemicals maintained within the yard area are used up or do not result in a hazardous waste in a quantity that must be managed pursuant to RCRA.

5. The only known leak, spill or release into the environment at the Wichita yard involved the overflow of the oil/water separator on two occasions in July and August, 1987 due to heavy rainfall. Oil contaminated water from the separator overflowed into a drainage ditch in the separator area. These spills were cleaned up and the separator discharge connection has been hooked into the City's sewer system.

6. Both Pat Student, the Manager-Hazardous

Materials, who is stationed in Omaha, and the Special Agent-Hazardous Materials, Bob Stine, who works out of Kansas City, have the responsibility for covering hazardous materials releases in Wichita. Mr. Student has been on the job since 1982. Mr. Stine has covered the Wichita territory since 1984. Neither Messrs. Student nor Stine recall any hazardous material spills or releases in the Wichita area during that time period. We do not have records of any such releases prior to that time.

The only floor drains in the yard are in the mechanical repair facility and the B&B shop. Locomotives and cars undergo minor repair, cleaning and stenciling in the repair facility. Small amounts of paint thinner and paint are used in the stenciling process. However, reportable releases into floor drains could not occur due to the small amount of such materials used at any one time. Oil and grease is washed from the cars and locomotives being cleaned or repaired and goes through the floor drains into the oil/water separator. The oil and grease is pumped from the separator into an above-ground tank. An oil recycler drains the tank periodically.

Outside of the repair facility is the fueling station. Fuel that spills during the fueling process is caught in drip pans along side and underneath the tracks. The spilled fuel is also funneled into the oil/water separator through underground pipes.

7. Attached is a roster of the Comprehensive General Liability (CGL) policies Missouri Pacific has had in place since the 1950s. Missouri Pacific does not, nor has it ever had, Environmental Impairment Liability insurance. Missouri Pacific does have a Directors and Officers "claims made" insurance policy/ i.e., claims must be made during the actual policy period to be covered. Missouri Pacific is currently self-insured for liability coverage. If you would like a copy of any of the CGL policies on the roster, please contact me to request it.

8. Missouri Pacific is a subsidiary of Union Pacific Corporation and as such is included in Union Pacific Corporation's consolidated Federal and State income tax returns. The tax returns are extremely voluminous and not relevant to the questions at hand. Therefore, we have not submitted these returns and do not intend to unless required to do so.

9. Attached are Missouri Pacific's 10K filings with the Security and Exchange Commission for the years 1983

through 1988.

10. Attached is a photocopy of Union Pacific Corporation's subsidiaries and affiliates, including Missouri Pacific Railroad Company. Missouri Pacific's subsidiaries are listed immediately below its name.

11. Missouri Pacific's Certificate of Incorporation and Bylaws are attached.

12. Attached is a list of the officers and directors of Missouri Pacific Railroad Company. There are no majority shareholders because Missouri Pacific is a wholly owned subsidiary of Union Pacific Corporation.

13. We do not know of any persons who may have generated or disposed of hazardous substances within the Wichita yard area.

14. Not applicable.

15. Not applicable.

16. The Wichita yard has been owned and operated by Missouri Pacific Railroad as a railroad yard facility since the early part of the century. There is no reason to believe the property has ever been used to treat, store or dispose of hazardous substances or hazardous wastes.

17. There is no reason to believe that any drums, containers, wastes, chemicals or other materials were ever shipped to the railroad yard as a final destination.

18. All Railroad records relevant to this Information Request we are aware of are attached or have been reviewed.

19. See answer to number 16.

20. Missouri Pacific Railroad is a property owner that has the misfortune to be located within an area containing suspected groundwater contamination. None of Missouri Pacific Railroad's activities on this property now or in the recorded past leads us to believe that the Railroad generated any of this contamination. Therefore, we urge EPA and the State of Kansas to more precisely draw the boundaries of the area of suspected contamination to exclude Missouri Pacific's rail yard in Wichita and/or to drop Missouri Pacific from the list of Potentially Responsible Parties. Innocent landowners should not be expected to contribute financially to cleanup a problem they did not help to create.

Sincerely,

Roberts

Attorney

Clint Sperry

*EPA
Project Manager
Superfund Division
11201 Renner Blvd.
Lenexa, KS 66219
913-551-7157*



From: Jump, Christine

Sent: Wednesday, March 25, 2015 3:38 PM

To: Sperry, Clint

Subject: 29th and Mead site

Clint-

Can you check the 29th and Mead file to see if EPA sent a 104E information request for the 29th and Mead site to the Clean Harbors facility (called USPCI or HRI at the time) located at 2525 or 2549 New York Street, Wichita, KS? The time frame would probably have been in the late 1980's or early 1990's. Apparently an appendix in the NIC RFI report says EPA sent a 104E letter to USPCI, but I don't have that in my RCRA CA files. I'm guessing it is either in the superfund files, or it was actually sent by KDHE. If there was a 104E letter sent, can you send me the electronic copy of the letter and response? Give me a call if you have any questions. Thanks.

Chris Jump, L.G.

Waste Remediation and Permitting Branch

US EPA, Region 7

jump.chris@epa.gov

(913) 551-7141

Mailing address: 11201 Renner Boulevard, Lenexa, KS 66219